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MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP  
300 S. WACKER DRIVE  
32ND FLOOR  
CHICAGO, IL 60606

EXAMINER

MORROW, JASON S

ART UNIT PAPER NUMBER

3612

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/731,293

Applicant(s)

PRITCHARD ET AL.

Examiner

Jason S. Morrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: On page 2, in line 16, the phrase "a cross sectional view of a "C-Type" bumper of the p" appears to be a grammatical or typing error.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5-8, 10, 11, 13, 15, 17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Heatherington et al.

Re claim 1, Heatherington et al. discloses a vehicular bumper beam (11) having two or more beads (shown in figure 4 at 15) extending longitudinally on an impact face of the bumper beam.

Re claim 2, the bumper beam spans the width of a vehicle frame (see figure 1).

Re claim 3, each bead is comprised of a projecting shape formed integral with the bumper beam (see figure 4).

Re claim 5, the rounded type shape is semi-square or semi-rectangular shape (see figure 4).

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Re claim 6, the projecting shape is a generally semi-triangular or semi-trapezoidal shape (see figure 4).

Re claim 7, each bead spans the entire length of the bumper beam (see figure 2).

Re claim 8, each bead has a height that is less than 50% of the height of the structural member (see figure 4).

Re claim 10, the bumper beam is a closed section design (see figure 4).

Re claim 11, Heatherington et al. discloses a bumper assembly comprising a vehicular bumper beam, the vehicular bumper beam comprising a structural cross member (11) with two or more beads on an impact face of the bumper beam, a pair of mounting brackets (13), the mounting brackets attaching the bumper beam to a vehicular frame, and a fascia (9), which at least partially encloses the vehicular bumper beam.

Re claim 13, the bumper assembly does not have an energy absorber located between the impact face of the vehicular bumper beam and the fascia.

Re claim 15, a center reinforcement (the wall 14) is located at the center of the inner face of the bumper beam.

Re claim 17, Heatherington et al. discloses a method comprising the steps of roll-form manufacturing (see column 3, line 50) a bumper beam having two or more beads on an impact face of the bumper beam mounting the bumper beam on a vehicle, and enclosing at least a portion of the bumper beam in a fascia.

Re claim 19, the bumper beam is formed in a closed section design (see figure 4).

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4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-3, 5, 7, 8, 9, 11, 13, 14, 17, and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Hallergren.

Re claim 1, Hallergren discloses a vehicular bumper beam having two or more beads (17, 18) extending longitudinally on an impact face of the bumper beam.

Re claim 2, the bumper beam spans the width of a vehicle frame (see figure 1).

Re claim 3, each bead is comprised of a projecting shape formed integral with the bumper beam.

Re claim 5, the rounded type shape is semi-square or semi-rectangular shape (see figure 3).

Re claim 7, each bead spans the entire length of the bumper beam (see figure 1).

Re claim 8, each bead has a height that is less than 50% of the height of the structural member (see figure 3).

Re claim 9, the bumper beam is an open section design (see figure 3).

Re claim 11, Hallergren discloses a bumper assembly comprising a vehicular bumper beam, the vehicular bumper beam comprising a structural cross member (17) with two or more beads on an impact face of the bumper beam (see figure 3), a pair of mounting brackets (11, 12), the mounting brackets attaching the bumper beam to a vehicular frame, and a fascia (it is

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inherent that the beam requires a fascia for aesthetic reasons), which at least partially encloses the vehicular bumper beam.

Re claim 13, the bumper assembly does not have an energy absorber located between the impact face of the vehicular bumper beam and the fascia.

Re claim 14, the pair of mounting brackets is attached to the vehicular bumper beam by welding (it appears from figure 2, it must be welded) or bolting.

6. Claims 1-3, 5-8, and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Evans '241.

Re claim 1, Evans discloses a vehicular bumper beam having two or more beads (35, 37) extending longitudinally on an impact face of the bumper beam.

Re claim 2, the bumper beam spans the width of a vehicle frame (see figure 1).

Re claim 3, each bead is comprised of a projecting shape formed integral with the bumper beam.

Re claim 5, the rounded type shape is semi-square or semi-rectangular shape (see figure 4).

Re claim 6, the projecting shape is a generally semi-triangular or semi-trapezoidal shape (see figure 4).

Re claim 7, each bead spans the entire length of the bumper beam (see figure 1).

Re claim 8, each bead has a height that is less than 50% of the height of the structural member (see figure 4).

Re claim 10, the bumper beam is a closed section design (see figure 4).

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Re claim 11, Evans discloses a bumper assembly comprising a vehicular bumper beam, the vehicular bumper beam comprising a structural cross member with two or more beads (35, 37) on an impact face of the bumper beam, a pair of mounting brackets (20a), the mounting brackets attaching the bumper beam to a vehicular frame, and a fascia (it is inherent to the reference that a fascia would be needed for aesthetic reasons), which at least partially encloses the vehicular bumper beam.

Re claim 12, the bumper assembly further comprises an energy absorber (22) located between the impact face of the vehicular bumper beam and the fascia.

7. Claims 1-4, 7, 8, 10, 11, 13, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Janssen.

Re claim 1, Janssen discloses a vehicular bumper beam (see figure 1) having two or more beads (6) extending longitudinally on an impact face of the bumper beam.

Re claim 2, the bumper beam spans the width of a vehicle frame (see figure 1).

Re claim 3, each bead is comprised of a projecting shape formed integral with the bumper beam.

Re claim 4, the projecting shape of each bead is a semi-circular or semi-elliptical shape (see figure 1).

Re claim 7, each bead spans the entire length of the bumper beam (see figure 1).

Re claim 8, each bead has a height that is less than 50% of the height of the structural member (see figure 5).

Re claim 10, the bumper beam is a closed section design (see figure 5).

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Re claim 11, Janssen discloses a bumper assembly comprising a vehicular bumper beam (see figure 1), the vehicular bumper beam comprising a structural cross member with two or more beads (6) on an impact face of the bumper beam, a pair of mounting brackets (4), the mounting brackets attaching the bumper beam to a vehicular frame, and a fascia (inherent to the reference for aesthetic reasons), which at least partially encloses the vehicular bumper beam.

Re claim 13, the bumper assembly does not have an energy absorber located between the impact face of the vehicular bumper beam and the fascia.

Re claim 15, a center reinforcement (3) is located at the center of the inner face of the bumper beam.

8. Claims 1, 3, 5-9, 11, 13, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Evans '150.

Re claim 1, Evans discloses a vehicular bumper beam having two or more beads (34a, 35a, figure 6) extending longitudinally on an impact face of the bumper beam.

Re claim 2, the bumper beam spans the width of a vehicle frame (see figure 6).

Re claim 3, each bead is comprised of a projecting shape formed integral with the bumper beam.

Re claim 5, the rounded type shape is semi-square or semi-rectangular shape (see figure 6).

Re claim 6, the projecting shape is a generally semi-triangular or semi-trapezoidal shape (see figure 6).

Re claim 7, each bead spans the entire length of the bumper beam (see figure 6).



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Re claim 8, each bead has a height that is less than 50% of the height of the structural member (see figure 6).

Re claim 9, the bumper beam is an open section design (see figure 6).

Re claim 11, Evans discloses a bumper assembly comprising a vehicular bumper beam (see figure 6), the vehicular bumper beam comprising a structural cross member with two or more beads (34a, 35a) on an impact face of the bumper beam, a pair of mounting brackets (23a, 24a), the mounting brackets attaching the bumper beam to a vehicular frame, and a fascia (inherent to the reference for aesthetic reasons), which at least partially encloses the vehicular bumper beam.

Re claim 13, the bumper assembly does not have an energy absorber located between the impact face of the vehicular bumper beam and the fascia.

Re claim 15, a center reinforcement (21a) is located at the center of the inner face of the bumper beam.

Re claim 16, the center reinforcement is attached to the bumper beam by welding or bolting (by bolting ends of the bumper to the frame).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hallergren in view of Heatherington et al.

Hallergren discloses all the limitations of the claims, as applied above, except roll-form manufacturing the bumper beam.

Heatherington et al. teaches roll-form manufacturing a bumper beam (see column 3, lines 58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a method, such as that disclosed by Hallergren, for making a bumper assembly to include roll-form manufacturing a bumper beam, as taught by Heatherington et al., since Hallergren is silent as to what process is used in the construction of the bumper beam and roll-form manufacturing is common type of manufacture.

### *Conclusion*

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (703) 305-7803. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 27, 2004

Jason S. Morrow  
Examiner  
Art Unit 3612

  
JASON MORROW  
PRIMARY PATENT EXAMINER

9/27/04